

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JOHNNY REININGER, JR.,

Plaintiff,

v.

STATE OF OKLAHOMA, *et al.*,

Defendants.

Case No.: 16-cv-1241-SLP

OFFER OF JUDGMENT BY HOUSE DEFENDANTS

To: Michael Steven Stein
Mary Vargas
Martha M. Lafferty
Stein & Vargas, LLP
10 G Street NE, Suite 600
Washington, D.C. 20002

For their offer of judgment, Defendants State of Oklahoma; Oklahoma House of Representatives; and Charles McCall, in his official capacity as Speaker of the Oklahoma House of Representatives, (the “House Defendants”) state the following:

Background

After Plaintiff requested that the House and Senate add captioning to the legislative proceedings available on their websites, the House advised Plaintiff that it would take the steps necessary to implement captioning. The Senate advised Plaintiff that the Senate would not implement captioning. Plaintiff then filed this action alleging intentional discrimination based on lack of captioning and sought damages and injunctive relief against the House, the Senate, the leaders of the House and Senate, and the State of Oklahoma.

The House has always attempted to accommodate persons with disabilities and it will continue to do so. The House, in accordance with its pre-suit implementation plan, began captioning its floor proceedings on the first day of the 2017 session in February of 2017. The House intends to continue captioning its floor proceedings. It will also ensure that all live-streamed House committee meetings are captioned. The House will also continue to provide transcription of archived proceedings related to specific bill numbers upon the reasonable requests of any deaf individual, with reasonable transcription requests to be completed within three (3) business days of such request, absent any complicating factors, in which circumstances the content shall be captioned as soon as reasonably possible. The House Defendants will continue to provide all of the aforementioned accommodations, regardless of whether Plaintiff accepts this offer of judgment.

Judgment Offered by House Defendants

Although the House Defendants continue to deny that they are liable to Plaintiff for the claims asserted in this lawsuit, the House Defendants hereby offer to allow Plaintiff to take judgment against them jointly and severally in the amount of \$5,377.37 in order to avoid the time and costs involved in further litigating this matter. As part of this offer to confess judgment, the House Defendants also consent to allow the Court to add an additional amount for any reasonable costs, litigation expenses, and/or attorney fees accrued by Plaintiff up to the time of this offer of judgment that Plaintiff may be entitled to recover as a “prevailing party” under 42 U.S.C. § 12205. The amount of the award is within the discretion of the Court as

provided in § 12205 and shall constitute the entire amount of costs, litigation expenses, and attorney fees to be paid by the House Defendants. Such costs, litigation expenses, and/or attorney fees may be awarded if and only if Plaintiff files an application with the Court requesting the same in accordance with the Federal Rules of Civil Procedure. This offer of judgment is made pursuant to Rule 68, Fed. R. Civ. P. and must be accepted, if at all, within fourteen (14) days after service of this offer of judgment. If not accepted within this time period, it shall be deemed withdrawn.

Respectfully submitted,



DEVAN A. PEDERSON, OBA#16576

DESIREE D. SINGER, OBA#33053

Assistant Attorney General

Oklahoma Attorney General's Office

Litigation Division

313 NE 21st Street

Oklahoma City, OK 73105

Telephone: (405) 521-3921

Facsimile: (405) 521-4518

Email: devan.pederson@oag.ok.gov

Email: desiree.singer@oag.ok.gov

*Attorney for Defendants State of Oklahoma,
Oklahoma House of Representatives and
Oklahoma Speaker of the House*

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day January 2019, a true and correct copy of the foregoing document was sent via U.S. Certified Mail, postage prepaid to:

Michael Steven Stein
Mary Vargas
Martha M. Lafferty
Stein & Vargas, LLP
10 G. Street NE, Ste. 600
Washington, DC 20002
Email: michael.stein@steinvargas.com
Email: mary.vargas@steinvargas.com
Email: martie.lafferty@steinvargas.com
Attorney for Plaintiff

Melissa K. Sublett
OKLAHOMA DISABILITY LAW CENTER,
INC.
2828 E. 51st St.
302 Interim Plaza
Tulsa, OK 74105
Attorney for Plaintiff

Marc Charmatz
NATIONAL ASSOC. OF THE DEAF
LAW ADVOCACY CENTER
8630 Fenton St., Ste. 8920
Silver Spring, MD 20910
Email: marc.charmatz@nad.org
Attorney for Plaintiff

Joy J. Turner
Brian Wilkerson
OKLAHOMA DISABILITY LAW CENTER,
INC.
2915 Classen Blvd., Ste. 300
Oklahoma City, OK 73106
Attorney for Plaintiff


Devan A. Pederson